

# DELAWARE DOG LAWS: WHAT YOU NEED TO KNOW

**THE STATE'S LAWS ABOUT HOW DOGS MUST BE CARED FOR AND SHELTERED WHILE OUTDOORS ARE CHANGING IN FEBRUARY 2020. HERE IS A SUMMARY SO THAT YOU CAN PROPERLY PROTECT YOUR DOG AND MEET THE REQUIREMENTS WITH THE LAW:**

## TETHERING

It is against the law to tether (tie up or chain) your dog if any of the following is true:

- Your dog is less than 4 months old
- Your dog is a nursing mother while puppies are present
- Longer than 9 consecutive hours while owner or responsible adult is home
- Longer than 2 hours when the owner or responsible adult is not home
- The tether is attached to a choke, pinch, prong or martingale collar, or ill-fitting collar
- The tether is less than 10 feet in length
- The tether is entangled, or will not allow dog easy access to dog house, food and water

## EXTREME WEATHER

Your dog may not be left outside and unattended\* when:

- There is a National Weather Service hazardous weather Advisory or Warning for your area
- Weather conditions pose a serious adverse risk to the health and safety of a dog

\* Outside and unattended means exposed to the elements for longer than 15 minutes when not in visual range and physical presence of owner.

In addition:

- Food and Water must be provided in a way that it will not freeze. Heated or insulated water bowls or frequent changing of water is recommended.
- It is recommended to provide extra food during cold months

## SHELTER

Your dog must have access to a shelter that is:

- Structurally sound, no sharp points or edges
- Moisture proof and windproof walls and floors, with abundant clean, dry bedding such as straw
- Raised above the ground
- A suitable size, small enough for dog to maintain body heat, but large enough to allow dog to stand to its full height, turn around freely and stretch out when lying down.

During the winter months extra precautions must be taken to endure safety of dog:

- Additional bedding is required between Nov. 1 and Mar. 31 or when temperature is 35° or below.
- Windbreak - Such as a flap or tarp, must be provided at the entrance between Nov. 1 and Mar. 31 or when the temperature is 35° or below to protect the dog from cold winds and precipitation.

### SHADE

In addition to the shelter structure, 1 or more separate outside areas of shade must be provided to allow protection from sunlight. In warmer months, a dog house can be hot inside.

### PRIMARY ENCLOSURES

If your dog is kept in an enclosure, such as a kennel or pen, it must meet the following requirements:

- Allow sufficient space for your dog to turn about freely and stand erect, sit, and lie down in a comfortable normal position.
- Height must be at least 6 inches higher than head of your dog in normal standing position
- Enclosure may not have only wire flooring

### GENERAL

Your dog must have access to:

- Fresh drinking water
- Food that is wholesome, free from contamination and adequate amounts to maintain good health. Must be fed at least once a day.
- A clean, sanitary environment free of excrement and food waste, with proper drainage.

**FAILURE TO COMPLY WITH THE ABOVE LAWS MAY RESULT IN FINES, REMOVAL OF ANIMAL AND OR CRIMINAL PROSECUTION FOR ANIMAL CRUELTY**

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*Questions? Contact Delaware Animal Services at  
[delawareanimalservices@delaware.gov](mailto:delawareanimalservices@delaware.gov) or call 302-255-4646.*

*Delaware Code references:  
Title 16, Chapter 30F, Subchapter IV  
Title 11, Chapter 5, §1325*



DELAWARE HEALTH AND SOCIAL SERVICES  
Division of Public Health  
Office of Animal Welfare

